

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSE TAVALES,	:	CIVIL ACTION
	:	NO. 16-2000
Plaintiff,	:	
	:	
v.	:	
	:	
CAROLYN W. COLVIN, ACTING	:	
COMMISSIONER OF SOCIAL SECURITY,	:	
	:	
Defendant.	:	

**O R D E R**

**AND NOW**, this **25th** day of **April, 2017**, after reviewing Plaintiff's Request for Review of the decision of the Commissioner of Social Security (ECF No. 9), the Commissioner's response (ECF No. 11), the Plaintiff's reply (ECF No. 13), and the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (ECF No. 14), there being no objections, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED** in part and **DENIED in part**. The Request for Review is **GRANTED** to the extent that it seeks a reversal of the Commissioner's decision denying Plaintiff's claim for disability insurance benefits and supplemental security income. The Request for Review is **DENIED**

to the extent it seeks a determination by this Court that Plaintiff is entitled to social security benefits;

3. The Commissioner's decision denying Plaintiff's claim for benefits is **REVERSED**;

4. This matter is **REMANDED** to the Commissioner of Social Security in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation; and

5. The Clerk of Court shall remove this case from suspense and mark the case as **CLOSED**.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.